

Nº 46680

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office FEB 25 1983 NEW PRIORITY DATE: JUNE 30 1998

Returned to applicant for correction.....

Corrected application filed.....

Map filed MAR 18 1983

The applicant Ernest H. Gubler, Incorporated

P.O. Box 152, of Lund,
Street and No. or P.O. Box No. City or Town

Nevada 89317, hereby make^s application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) June 23, 1967,

Ely, Nevada

1. The source of the proposed appropriation is Underground (Brench Well)
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.01 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for Stockwater and Domestic
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated:.....

(b) Stockwater, state number and kinds of animals to be watered: 400 cows

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: SW 1/4 NE 1/4 of Section 33, T.10 N., R.60E., M.D.B. & M.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
The SW corner of Section 30, T.10N., R.61E., M.D.B. & M. bears N. 82° 11'E., a distance of 17,822.03 feet.

6. Place of use SW 1/4 NE 1/4 of Section 33, T.10N., R.60E., M.D.B. & M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about 1 January and end about 31 December, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drill, case well and pump to stockwater facility
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$ 10,000.00

10. Estimated time required to construct works..... 1 year
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 3 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared..... js/b1..... cl/cmg
 Protested.....
 By..... s/ Carl L. Willfong
 Carl L. Willfong, Gen. Mgr.
 P.O.B. 152
 Lund, Nv. 89317

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.01..... cubic feet per second, or sufficient to water 400 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before..... May 1, 1997
 Proof of completion of work shall be filed before..... June 1, 1997
 Application of water to beneficial use shall be made on or before..... May 1, 2000
 Proof of the application of water to beneficial use shall be filed on or before..... June 1, 2000
 Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... APR 27 1999
 Proof of beneficial use filed..... NOV 01 2000
 Cultural map filed.....
 IN TESTIMONY WHEREOF, I..... R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this..... 1st..... day of..... May.....

Certificate No. 15617 Issued..... NOV 20 2000 A.D. 19..... 96
 218 (Rev.)
 State Engineer

CANCELLED..... MAY 08 1998..... BECAUSE OF FAILURE
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
 Can. rescinded 4-27-99